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## CENTRAL LICENSING SUB-COMMITTEE 6.07.2021

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**Present:** Councillors: Anwen Hughes (Chair), Edgar Owen and Roy Owen

**Officers:** Geraint B Edwards (Solicitor), Gwenan M Roberts (Licensing Manager) and Lowri H Evans (Democracy Services Officer).

1. **APOLOGIES**

Apologies were received from Moira Duell-Parry (Environmental Health Officer)

2. **DECLARATION OF PERSONAL INTEREST**

None to note.

3. **URGENT ITEMS**

None to note

4. **APPLICATION FOR PREMISES LICENCE – THE GRIFFIN, GRIFFIN TERRACE, PENRHYNDEUDRAETH, GWYNEDD**

**Representing the premises:**

Nia Jones (applicant)

**Others invited:**

Local Member: Councillor Gareth Thomas

The Chair welcomed everyone to the meeting.

a) **The Licensing Department's Report**

Submitted – the report of the Licensing Manager giving details of the application for a premises licence for The Griffin, Griffin Terrace, Penrhyndeudraeth, Gwynedd. The application was made in relation to the sale of alcohol, live and recorded music, on and off the premises.

It was noted that the Licensing Authority Officers had sufficient evidence that the application had been submitted in accordance with the requirements of the Licensing Act 2003 and the relevant regulations. Reference was made to the measures that had been recommended by the applicant to promote the licensing objectives, and it was highlighted that these measures would be included on the licence.

She drew attention to the responses that had been received during the consultation period, and noted an objection from the Public Protection Department and proposed conditions from North Wales Police.

The objection from the Public Protection Department highlighted noise concerns due to outdoor entertainment late at night on the premises, which would lead to the creation of a public nuisance to the residents of nearby houses. Following a series of e-mails,

correspondence had been received from the applicant confirming that it was intended to build an area for the provision of live outdoor entertainment, although this work had not yet been completed. The applicant expressed his wish to withdraw the *outdoor entertainment* element from the application until they were in a situation to implement appropriate measures. Consequently, the Public Protection Department withdrew its objection to the application, subject to the applicant confirming at the hearing that there was no intention to hold outdoor entertainment for the time being.

It was added that the applicant had agreed to include additional conditions in relation to CCTV, promoting the Challenge 25 Initiative and undertaking a risk assessment on the requirement for door supervisors, at the request of North Wales Police.

It was recommended that the Committee approved the application if the applicant confirmed that the provision of outdoor entertainment was removed from the application, and in accordance with the recommendations of the Police and the requirements of the Licensing Act 2003.

In considering the application, the following procedure was followed:-

- Members of the Sub-committee and the applicant were given the opportunity to ask questions of the Licensing Manager
- The applicant was invited to expand on the application
- Consultees were given an opportunity to present their observations
- The licensee, or his/her representative, was invited to respond to the observations
- Members of the Sub-committee were given an opportunity to ask questions of the licensee
- Members of the Sub-committee were given an opportunity to ask questions of the consultees

Elaborating on the application, the applicant noted:

- She was happy with the observations presented by the Licensing Manager
- She was withdrawing the *outdoor entertainment* element from the application for the time being – the provision had not been completed
- Everything was ready in order to open

In response to an observation regarding emphasising the need to ensure that CCTV recordings were kept for 30 days, the Licensing Officer stated that this formed part of the Police's recommendations, and that the applicant had agreed to fully comply with these requirements.

At the Chair's invitation, the Local Member in attendance took the opportunity to present observations

Local Member - Councillor Gareth Thomas

- He was supportive of the application.
- It was pleasing to see a business opening in the hospitality sector.
- The applicant and her family had made a substantial investment in the enterprise.
- The public house was an important resource for the village
- There were plans to extend the use of the outside area, but an application would be submitted following the receipt of planning permission and the completion of the work.
- He was pleased to see The Griffin re-opening and in safe hands

Taking advantage of the opportunity to conclude her case, the applicant noted the following points:

- She was grateful for the opportunity to hold a discussion

- The enterprise would provide local employment
- The Griffin was the heart of the village, a family public house with a garden - and the football team were already looking forward to seeing the public house re-open

The Licensing Manager added that she was happy with the applicant's confirmation that outdoor entertainment was being withdrawn from the application, and that an amended application would be considered. It was intended to continue to collaborate with the applicant and the Public Protection Department to ensure that a suitable outdoor area was provided at the premises in future.

The applicant, the Local Member and the Licensing Manager withdrew from the meeting while the Sub-committee members discussed the application.

In reaching its decision, the Sub-committee considered written observations that had been submitted by interested parties, the oral observations presented during the hearing and the Licensing Officer's report. The Council's Licensing Policy and Home Office guidelines were considered. All considerations were weighed up against the licensing objectives under the Licensing Act 2003, namely:

- Prevention of crime and disorder
- Prevention of public nuisance
- Ensuring public safety
- Protection of children from harm

## **RESOLVED to approve the application**

### **The licence was issued as follows:**

#### **1. Opening hours**

##### **Standard times:**

- **Sunday-Wednesday 08:00-00:00**
- **Thursday 08:00-00:30**
- **Friday-Saturday 08:00-01:00**

##### **Non-standard times:**

- **Final hour 01:00 on Bank Holiday Weekends**
- **Final hour 02:00 on New Year's Eve**

#### **2. Live music indoors only**

##### **Standard times:**

- **Sunday-Wednesday 11:00-23:00**
- **Thursday-Saturday 11:00-00:00**

##### **Non-standard times:**

- **Final hour 00:30 on Bank Holiday Weekends**
- **Final hour 01:00 on New Year's Eve**

#### **3. Recorded music indoors only**

##### **Standard times:**

- **Sunday-Wednesday 11:00-23:00**
- **Thursday-Saturday 11:00-00:00**

##### **Non-standard times:**

- **Final hour 00:30 on Bank Holiday Weekends**
- **Final hour 01:00 on New Year's Eve**

#### **4. Supply of alcohol to be consumed on and off the premises**

##### **Standard times:**

- **Sunday-Wednesday 11:00-23:30**
  - **Thursday 11:00-00:00**
  - **Friday-Saturday 11:00-00:30**
- Non-standard times:**
- **Outdoor bar closes 22:30**
  - **Final hour indoors 00:30 on Bank Holiday Weekends**
  - **Final hour indoors 01:30 on New Year's Eve**
- 5. For the purpose of these conditions, Bank Holiday Weekends are defined as a period commencing on Friday and ending on the following Monday when a day within that period is a bank holiday.**
  - 6. Matters prescribed in the Schedule of Actions (Section M) of the application are incorporated as conditions on the licence.**
  - 7. The conditions recommended by North Wales Policy in relation to age checks, door supervisors and CCTV shall be incorporated as conditions on the licence.**

All parties were thanked for making representations on the application.

The Sub-committee gave specific consideration to the observations of the Council's Public Protection Department. The objection to the original application in relation to public nuisance concerns from outdoor entertainment late at night, was highlighted. Consideration was also given to North Wales Police's observations that recommended the inclusion of standard conditions in relation to age checks, supervisors and CCTV. Consideration was given to the applicant's observations confirming an amendment to the application not to include licensed outdoor music activities for the time being. It was accepted that there was an intention in due course to include these activities on the licence when the adaptation works to the premises had been completed.

The Committee did not come to a conclusion regarding whether or not the original application would have undermined the licensing objective of preventing public nuisance, as there was no need to consider the matter following the amendment to the application. The Sub-committee was of the view that the amendment to restrict music entertainment solely to inside the premises meant that there was only a low risk of noise, and that it would not be detrimental to the objective of preventing public nuisance.

Under the circumstances, the Sub-committee was satisfied that the amended application was in accordance with the four licensing objectives. The application was approved.

The Solicitor reported that the decision would be confirmed formally by letter to everyone who was present. He added that all parties to the application had the right to submit an appeal to Caernarfon Magistrates' Court against the Sub-committee's decision. Any such appeal should be lodged by giving notice of appeal to the Chief Executive, Llandudno Magistrates' Court, Llandudno within 21 days of the date that the appellant received the letter (or a copy of the letter) confirming the decision.

The meeting commenced at 14:00 and concluded at 14:30